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Patent

Docket No.: BU-12

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Klaus Russke  
Serial No: 10/531,678  
Filed: December 1, 2005  
For: CABRIOLET VEHICLE  
Examiner: Joseph Pape  
Art Unit: 3612

Mail Stop Petition  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

REQUEST TO WITHDRAW HOLDING OF ABANDONMENT

S I R:


In response to the Notice of Abandonment dated September 21, 2007, Applicants hereby respectfully request to withdraw the holding of abandonment.

An Amendment in response to the Office Action dated March 14, 2007 was filed with a mailing certificate dated September 12, 2007.

As is evident from the enclosed copy of the stamped return receipt post card, the Amendment was received in the U.S. Patent and Trademark Office on September 17, 2007. A petition for a three-month extension of time was incorporated into the Amendment. The fee for the three-month extension of time in the amount of \$ 1,020 was submitted together with the Amendment.

A copy of the Amendment as filed is also enclosed.

Respectfully submitted,

By:   
Friedrich Kueffner  
Reg. No. 29,482  
317 Madison Avenue, Suite 910  
New York, New York 10017  
(212) 986-3114

Dated: September 27, 2007



CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450, on September 27, 2007.

By:

A handwritten signature in dark ink, appearing to be "F Kueffner".

Friedrich Kueffner

Date: September 27, 2007

Mail Stop AMENDMENT  
Commissioner for Patents, P.O. Box 1450  
Alexandria, VA 22313-1450

Sir: Please stamp the date of receipt and  
the serial number, if appropriate, hereon,  
and return by mailing. Thank you.

Documents:

- ) Response to OA dated 3/14/07
- ) AMENDMENT
- ) Three month Extension of Time
- ) PTO-2038 (\$ 1,020.00)

Date Documents Mailed: September 12, 2007

-----For Application-----

Docket No: BU-12

Applicant: Russke

Serial No: 10/531,678 Filing Date: 10/1/05

Title: CABRIOLET VEHICLE



PTO: Please stamp and return



Patent

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Serial No: 10/531,678  
Filed: December 1, 2005  
For: CABRIOLET VEHICLE  
Examiner: Joseph Pape  
Art Unit: 3612

Mail Stop Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

AMENDMENT

S I R:

Applicants hereby petition for a three-months extension of time of the period for responding to the Office Action dated March 14, 2007. A credit card payment form PTO-2038 for the amount of \$1,020.00 to cover the petition fee is enclosed.

In response to the Office action dated March 14, 2007,  
please amend the above-identified application as follows:

**IN THE SPECIFICATION:**

Page 1, after the title, insert:

**--BACKGROUND OF THE INVENTION**

**1. Field of the Invention--**

Page 1, first paragraph:

~~--The invention concerns a convertible in accordance~~  
~~with the introductory clause of Claim 1 and a movable roof in~~  
~~accordance with the introductory clause of Claim 13~~ for the  
convertible--

Page 1, after first paragraph, insert:

**--2. Description of the Related Art--**

Page 2, before first full paragraph, insert:

**--SUMMARY OF THE INVENTION--;**

Page 2, second full paragraph:

--The invention solves this problem with a convertible ~~with a convertible with the features of Claim 1 and with a~~  
~~movable roof with the features of Claim 13. Advantageous~~  
~~refinements of the invention are specified in dependent Claims 2~~  
~~to 12.~~ that includes at least two rigid roof parts, wherein a  
rear roof part extends at least between the belt line and a roof  
part, which is located above a passenger compartment and in  
front of the rear roof part, and the rear roof part has a middle  
section that encloses a rear window and is located between  
lateral main posts when the roof is closed, characterized by the  
fact that the main posts, on the one hand, and the middle  
section, on the other hand, are each separately rotationally  
connected both with the automobile body and with the upper roof  
part by joints, which form a multijoint linkage as seen in a  
side view, and whose axes of rotation lie in a common plane in  
at least one movement position of the roof, such that at least  
one additional support of the roof part or a roof part located  
in front of the rear roof part is provided for supporting the  
roof part with respect to the automobile body and is active in  
at least this movement position of the roof.--

Page 3, before paragraph bridging pages 3 and 4, insert:

**--BRIEF DESCRIPTION OF THE DRAWING--**

Page 5, before the first full paragraph, insert:

**--DETAILED DESCRIPTION OF THE INVENTION--.**

Page 9, second full paragraph:

--The link 25 can possibly be held with some play in its upper joint 32 on the roof part 7 or in its lower joint 33 on the automobile body, since, unlike a guide rod for the pivoting movement of the roof 2, it does not have to have a guiding function but rather only a supporting function in the aforementioned dead-center position. Accordingly, for example, the upper joint 32 for the link 25 on the roof part 7 can be moved in a slotted link SL. Likewise, elastic play can also be present in the link 25 itself.--



Page 11, paragraph bridging page 11 and 12:

-- As a possible, but not essential, option, the front roof part 7 can additionally include a movable panel 13, which can be opened like a sunroof and moved over the rear roof part 3 (shown in Figure 1 in the closed position and in Figure 2 and subsequent figures in the open position, in which it has been moved over and parallel to the rear window & 6 and is at least partially covered by the lateral main posts 4). The panel 13 consists of a transparent plastic or glass, so that even when it has been moved over the rear window 6, the view to the rear is not obstructed. It has lateral arms, which engage lateral guideways of the upper roof part 7 by means of bearing journals or similar guide elements. In addition, guide rails are provided on the middle section 5 of the rear roof part 3, which guide the panel 13 into a position parallel to the rear window 6 and can hold it there. In the closed position, the panel 13 engages both the guideways by means of the arms arranged in the front region and the rear guide rails by means of other arms (not shown). Therefore, the roof 2 cannot be opened until the sunroof 13 has been opened.--

Page 14, first full paragraph:

--The distance between the front and rear extreme positions of the drive mechanism 22 24 is limited to a few centimeters by a possibly adjustable rear stop in such a way that in the rear extreme position of the roof 2, the pins 18 are pulled out of the windshield frame 8 just far enough to allow swiveling to occur. Displacement too far to the rear, on the other hand, would unnecessarily delay the opening or closing operation.--

## IN THE CLAIMS

1. (Currently Amended) ~~Convertible~~ A convertible (1) with comprising an automobile body and a movable roof (2) ~~that~~ ~~comprises~~ having at least a rear roof part (3) and an upper roof part (7) ~~two rigid roof parts (3, 7)~~, wherein ~~a~~ the rear roof part (3) extends at least between ~~the~~ a belt line (L) and ~~a~~ the upper roof part (7), which is located above a passenger compartment and in front of the rear roof part (3), ~~and~~ the rear roof part (3) ~~has~~ having a middle section (5) that encloses a rear window (6) and ~~is~~ being located between lateral main posts (4) when the roof is closed, wherein the main posts (4), ~~on the one hand,~~ and the middle section (5), ~~on the other hand,~~ are each ~~separately~~ rotationally connected both with the automobile body (20) and with the upper roof part (7) by joints (9, 10; 11, 12), which form a multijoint linkage ~~as seen in a side view, and~~ whose axes of rotation lie in a common plane (E) in at least one movement position of the roof (2), such that at least one additional support (25) of the upper roof part (7) ~~or a roof part (7)~~ located in front of the rear roof part (3) is provided for supporting the roof upper part (7) with respect to the

automobile body (20) ~~and~~ wherein the additional support is active in that at least ~~this~~ one movement position of the roof (2).

2. (Previously Presented) Convertible (1) in accordance with Claim 1, wherein the multijoint linkage (9, 10; 11, 12) forms a four-bar linkage.

3. (Currently Amended) Convertible (1) in accordance with Claim 1, wherein the main ~~post~~ posts (4), ~~on the one hand,~~ and the middle section (5), ~~on the other hand,~~ constitute parts of an articulated parallelogram.

4. (Currently Amended) Convertible (1) in accordance with Claim 1, wherein during part of ~~the~~ roof opening or closing ~~movement~~ movements, the main posts (4), ~~on the one hand,~~ and the middle section (5), ~~on the other hand,~~ form a multijoint linkage (9, 10; 11, 12), and during part of the movement, the main posts (4) and the additional support (25) form a multijoint linkage (9, 10; 32, 33).

5. (Currently Amended) Convertible (1) in accordance with Claim 4, wherein during part of the roof opening or closing movement, the main posts (4), ~~on the one hand,~~ and the middle section (5), ~~on the other hand,~~ form an articulated parallelogram, and during part of the movement, the main posts (4) and the additional support (25) form an articulated parallelogram.

6. (Currently Amended) Convertible in accordance with Claim 1, wherein the additional support (25) supports ~~a front roof part (7) or~~ the front roof part (7) with respect to the automobile body (20).

7. (Previously Presented) Convertible in accordance with Claim 1, wherein exactly one additional support (25) is installed on each side of the vehicle.

8. (Currently Amended) Convertible in accordance Claim 1, wherein the support (25) or each support (25) is ~~designed as a~~ link that is itself elastic or is elastic in at least one of its connections (32; 33).

9. (Currently Amended) Convertible in accordance with Claim 1, wherein the articulation (11) of the middle section (5) on the automobile body (20) and the articulation (12) of the middle section (5) on the upper roof part (7) are each situated above the planes of the respective articulations (9; 10) of the main post (4).

10. (Currently Amended) Convertible in accordance with Claim 9, wherein in ~~the~~ an open state of the roof (2), the rear window (6) is held above the main posts (4).

11. (Previously Presented) Convertible in accordance with Claim 1, wherein the middle section (5) is formed as a rear window (6) essentially over its entire height.

12. (Currently Amended) Convertible in accordance with Claim 1, wherein a panel (13), ~~which is assigned to~~ mounted on the upper roof part (7) ~~{,}~~ is supported in lateral guides LG ~~in~~ ~~such a way that it can be moved~~ so as to be movable longitudinally.

13. (Currently Amended) ~~Movable~~ A movable vehicle roof (2)  
for a convertible (1) comprising at least a rear roof part (3)  
and an upper roof part (7) wherein the rear roof part (3)  
extends at least between a belt line (L) and a the upper roof  
part (7), which is located above a passenger compartment and in  
front of the rear roof part (3), the rear roof part (3) having a  
middle section (5) that encloses a rear window (6) and being  
located between lateral main posts (4) when the roof is closed,  
wherein the main posts and the middle section (5) are each  
rotationally connected both with the automobile body (20) and  
with the upper roof part (7) by joints (9, 10; 11, 12), which  
form a multijoint linkage whose axes of rotation lie in a common  
plane (E) in at least one movement position of the roof (2),  
such that at least one additional support (25) of the upper roof  
part (7) located in front of the rear roof part (3) is provided  
for supporting the roof upper part (7) with respect to the  
automobile body (20) wherein the additional support is active in  
that at least one movement position of the roof (2).

In the abstract:

**ABSTRACT OF THE DISCLOSURE**

A convertible includes an automobile body and a movable roof having at least a rear roof part and an upper roof part, wherein the rear roof part extends at least between a belt line and the upper roof part. The upper roof part is located above a passenger compartment and in front of the rear roof part. The rear roof part has a middle section that encloses a rear window and is located between lateral main posts of the automobile body when the roof is closed. The main posts and the middle section are each rotationally connected with the automobile body and with the upper roof part by joints which form a multijoint linkage whose axis of rotation lie in a common plane in at least one movement position of the roof, so that at least one additional support of the upper roof part located in front of the rear roof part is provided for supporting the upper roof part with respect to the automobile body, wherein the additional support is active in the at least one movement position of the roof.



### REMARKS

Claims 1 to 13 are in the application.

With respect to the objection to the specification, the Examiner will note that the headings required in the Office Action have been inserted into the specification.

An abstract of the disclosure without legal phraseology is also enclosed.

With respect to the objection to the disclosure, the Examiner will note that the two changes required on pages 11 and 14 of the specification have been made.

With respect to the drawings, submitted herewith are two replacement sheets which show corrections in Figs. 1 and 3.

Specifically, in Fig. 1, reference characters LG have been added to show the lateral guides. The same reference characters have been added to claim 12. Further with respect to Fig. 1, reference numeral 21 has been added.

With respect to Fig. 3, reference characters SL have been added for the slotted link mentioned on page 9 of the specification. An oblong hole for the joint 32 is also shown.

Since all features added to the drawings have been disclosed in the original application, no new matter has been added.

Reconsideration and withdrawal of the rejection of the claims under 35 U.S.C. 112, second paragraph, are respectfully requested.

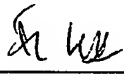
The Examiner will note that the claims have been amended to make the correction required in Office Action.

Since the Examiner has indicated that claims 1 to 13 would be allowable if rewritten or amended to overcome the rejection on the 35 U.S.C. 112, second paragraph, it is submitted that this application is now in condition for allowance.

Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,

By:   
Friedrich Kueffner  
Reg. No. 29,482  
317 Madison Avenue, Suite 910  
New York, New York 10017  
(212) 986-3114

Dated: September 12, 2007

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